

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re : Case No. 05-60006 (RDD)  
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REFCO INC., et al., : (Chapter 11)  
: (Jointly Administered)  
Debtors. :   
:   
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**APPLICATION FOR ORDER APPROVING APPOINTMENT OF EXAMINER**

TO: THE HON. ROBERT D. DRAIN, UNITED STATES BANKRUPTCY JUDGE:

Pursuant to Federal Rule of Bankruptcy Procedure 2007.1, the United States Trustee for the Southern District of New York (United States Trustee) hereby applies to this Court for an Order approving the appointment of an examiner and in support thereof, states the following:

1. Pursuant to the Order Granting the Motion of the United States Trustee for the Appointment of an Examiner, entered March 17, 2006 (the Appointment Order), the United States Trustee has been directed to appoint an examiner in the above-captioned cases.
2. The United States Trustee has consulted with counsels for Refco Inc. and its affiliated debtors, the Official Committee of Unsecured Creditors, and Bank of America, N.A. (as Administrative Agent) regarding the appointment of the examiner.

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3. Pursuant to the Appointment Order, and after consultation with the foregoing

parties-in-interest, the United States Trustee has selected Joshua R. Hochberg, as the examiner in the chapter 11 cases referenced above.

4. To the best of the United States Trustee's knowledge, Mr. Hochberg's connections with the Debtors, creditors, any other parties-in-interest, their respective attorneys and accountants, the United States Trustee, and persons employed in the Office of the United States Trustee are limited to those connections set forth in the affidavit filed herewith.

WHEREFORE, the United States Trustee requests that the Court enter an Order Approving the Appointment of Joshua R. Hochberg, as examiner, pursuant to 11 U.S.C. § 1104(d), and for such other and further relief as may seem just and proper in the above-described matter.

Dated: New York, New York  
March 17, 2006

DEIRDRE A. MARTINI  
UNITED STATES TRUSTEE

By: /s/ Andrew D. Velez-Rivera  
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